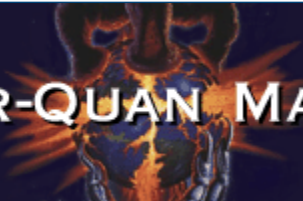


# EXHIBIT 14



# THE UR-QUAN MASTERS

## FORUM

Welcome, **Guest**. Please [login](#) or [register](#).  
 Did you miss your [activation email](#)?  
 September 16, 2018, 07:01:52 am

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**News:** Yes. We have good news! Well, that is to say, we have no news. But it is good news.

**The Ur-Quan Masters Discussion Forum**  
**The Ur-Quan Masters Re-Release**  
**General Discussion (Moderator: [Death 999](#))**  
**Stardock Litigation Discussion**

[« previous next »](#)

**Pages:** 1 ... 6 7 [8] 9 10 ... 22



 **Author**

**Topic: Stardock Litigation Discussion (Read 8729 times)**

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**Elestan**  
 \*Smell\* controller  
  
 Offline  
 Posts: 377



**Re: Stardock Litigation Discussion**  
 « Reply #105 on: August 12, 2018, 01:05:01 am »

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**Quote from: Ariloulawleelay on August 12, 2018, 12:12:21 am**

**Quote from: Boerta on August 11, 2018, 12:13:10 pm**

THEY chose to get lawyers involved! (even though we sued them first...)

Not that there's anything wrong with that, right?  
 I have never really understood this argument, perhaps because it's not really legally meaningful (and thus beyond my comprehension).

It's not legally meaningful, but it is relevant to public perceptions of the parties, as Stardock often attempts to cast itself as the victim in the dispute and P&F as the aggressors. And since both parties are attempting to sell products into this market, the public perceptions do matter.

« Last Edit: August 12, 2018, 01:06:34 am by Elestan »

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**Telecart**  
 Zebranky food  
  
 Offline  
 Gender:   
 Posts: 29



**Re: Stardock Litigation Discussion**  
 « Reply #106 on: August 12, 2018, 03:16:25 am »

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**Quote from: WibbleNZ on August 03, 2018, 01:19:22 am**

Star Control may have some fans in Israel? <https://ariloutech.com/>

No. I don't think so.

We are many. ^ \_\_ ^

Logged

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Nihilistic mystics, apostolic alcoholics, messianic maniacs, cataclysmic and prolific.

---

**rosepatel**  
 \*Many bubbles\*  
  
 Offline  
 Posts: 126



**Re: Stardock Litigation Discussion**  
 « Reply #107 on: August 13, 2018, 12:31:55 am »

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**Quote from: Serosis on August 11, 2018, 09:22:49 am**

Stardock is bending over backwards to redesign them, so why not let them?

http://forum.uqm.stack.nl/index.php?topic=7182.msg78821#msg78821

1/7



I'm not sure what bending over backwards means in this context.

A redesign would be so easy. It's what they were doing in the first place: making a new game with new characters.

The only thing that would stop them is Copyright law. The legal principle that it's wrong to profit from copying someone else's art.

Copyright protects art from being copied. And not just literal, pixel-for-pixel copies. Any substantial similarity is Copyright infringement. So you'd have to bend over backwards only if you were trying to copy something without triggering copyright infringement.

Stardock is hoping there is some perfect amount of copying that would make fans feel like they are the same aliens, without making a jury think that they are the same aliens.

It's a fool's errand. Especially when there's multiple forum posts from the CEO saying they're trying to copy without triggering Copyright law. That's like saying you're going to jump on a neighbor's lawn so fast that you can't be caught trespassing, or you're only going to take a few grains of rice so nobody can tell you're stealing. It would work a lot better *if you didn't say out loud that's what you're trying to do.*

« Last Edit: August 13, 2018, 12:41:25 am by rosepatel »



### Frogboy

\*Many bubbles\*



Offline

Posts: 226



### Re: Stardock Litigation Discussion

« Reply #108 on: August 13, 2018, 02:53:57 pm »

#### Quote

Especially when there's multiple forum posts from the CEO saying they're trying to copy without triggering Copyright law. That's like saying you're going to jump on a neighbor's lawn so fast that you can't be caught trespassing, or you're only going to take a few grains of rice so nobody can tell you're stealing. It would work a lot better if you didn't say out loud that's what you're trying to do.

That's the second time I've seen you make this claim. Please show where I've ever posted that we are trying to "copy" the artwork from SC2.

Next, show what copyright violation exists within Star Control: Origins. Otherwise, kindly retract your suggestion that Stardock is "stealing" something.



### CommanderShepard

\*Many bubbles\*



Offline

Posts: 108



### Re: Stardock Litigation Discussion

« Reply #109 on: August 13, 2018, 07:18:00 pm »

Quote from: Frogboy on August 13, 2018, 02:53:57 pm

#### Quote

Especially when there's multiple forum posts from the CEO saying they're trying to copy without triggering Copyright law. That's like saying you're going to jump on a neighbor's lawn so fast that you can't be caught trespassing, or you're only going to take a few grains of rice so nobody can tell you're stealing. It would work a lot better if you didn't say out loud that's what you're trying to do.

That's the second time I've seen you make this claim. Please show where I've ever posted that we are trying to "copy" the artwork from SC2.

Next, show what copyright violation exists within Star Control: Origins. Otherwise, kindly retract your suggestion that Stardock is "stealing" something.

You simply denying something happened doesn't have any bearing on whether it actually happened. If someone breaks into a store and steals a TV, them denying they stole a TV doesn't magically erase the security footage and shards of broken glass.

Using the names of the races in conjunction with an objectively overall derivative artwork of each individual race that function in the same play-style, within the same genre, within the same industry doesn't constitute an infringement on any trademark, it constitutes an infringement on F&P's copyrighted characters themselves. If you chose to use the names for a completely different kind of game or at the least completely different races, you would be legally safe, and if you chose to use the current derivative art but with completely different names, you would have been legally safe, but using both is the most abrasively possible choice and has more than enough grounds to constitute infringement.

ACTUALLY, FROGBOY IS RIGHT TO ASK FOR A CITATION ON THAT. IT SHOULD BE AVAILABLE. - D999

« Last Edit: August 14, 2018, 01:30:31 pm by Death 999 »

 Logged

**Frogboy**

\*Many bubbles\*



 Offline

Posts: 226



**Re: Stardock Litigation Discussion**

« Reply #110 on: August 13, 2018, 09:11:13 pm »

If you want to accuse someone of wrong-doing, it is up to the accuser to provide evidence.

Rose alleged that I posted that we intended to copy the way the Star Control II aliens were expressed in Star Control II. The onus is on Rose to back that claim up. Or to be clear enough for you, if you have "the security footage and shards of broken glass" then let's see it. Otherwise, that libelous comment should be retracted.

 Logged

**rosepatel**

\*Many bubbles\*



 Offline

Posts: 126



**Re: Stardock Litigation Discussion**

« Reply #111 on: August 13, 2018, 09:52:52 pm »

Read again and take a deep breath. That's not what I said. The main point, in short, is Stardock has made dozens of statements about how they'll include the classic Star Control aliens in the new game, while also hoping that the US legal system believes that they didn't copy the aliens from the original games. As if the similarities between the SC2 aliens and the SC:O versions would be a complete coincidence.

Even if Stardock's alien Trademarks are valid (which is a big question at this point), once you start to tell people what's going on *in the game*, you're no longer talking about Trademark. That's not what Trademarks are for. Trademarks are on the packaging. "In the game" is Copyright.

Is it now libel to assert things that are in the pleadings? If that's the case, Stardock's Q+A is a much bigger issue than a random forum comment.

 Logged

**Frogboy**

\*Many bubbles\*



 Offline

Posts: 226



**Re: Stardock Litigation Discussion**

« Reply #112 on: August 13, 2018, 10:50:17 pm »

Stardock owns the Star Control aliens. Paul and Fred \*might\* have copyrights to how those aliens were expressed in Star Control II but that's the extent of it. Their agreement is very similar to the ones we have with our software developers (who also own the copyrights to what they develop). Fences, WindowBlinds, ObjectDock, etc. So we are very, very familiar with how the law works on this sort of thing.

What was libel was your assertion that I had stated an intent to copy the Star Control II

expressions of the Star Control aliens. Those are fighting words for those of us who's job is to create IP. It's akin to calling a writer a plagiarist.

I realize you know nothing about Star Control: Origins but it has its own well developed history and lore. It strikes me as incredibly arrogant to suggest that are "copying" a particular expression of our own aliens. We own our Arilou. Period. The fact that there is confusion on this issue simply makes it just that much more obvious why this dispute might have been inevitable. There's no "skirting" or "hoping" involved here. Stardock will utilize the Star Control aliens as it sees fit.

If you see something we are doing that infringes on someone's copyright, then speak up and explain it. Otherwise, enough with the innuendo and FUD.

 Logged

**rosepatel**

\*Many bubbles\*



Offline

Posts: 126


**Re: Stardock Litigation Discussion**

« Reply #113 on: August 13, 2018, 11:09:13 pm »

Again, "copying a particular expression of our own aliens" are your words, not mine. Before you talk about how strikingly arrogant it is for me to say something I didn't say, you might ask how it strikes everyone else that you're going to put words in other peoples' mouths and then attack them for it.

Practically your whole post is innuendo, whenever you leave out precisely what intellectual property it is that you are claiming to own, let alone use. When you say you're using "Star Control aliens", are you talking about the same aliens that appeared in Star Control 2, or are you just slapping the "Star Control" trademark on a new set of original aliens and calling those "the Star Control aliens"? You don't get to have it both ways. One of them is the severe risk of Copyright infringement. The other is such a misuse of what most fans would understand as "Star Control aliens" as to be the same innuendo that you're complaining about.

Welcome back, by the way.

IT KINDA LOOKS LIKE YOU SAID WHAT HE SAID YOU SAID, THOUGH. - D999

« Last Edit: August 14, 2018, 01:32:35 pm by Death 999 »

 Logged

**Elestan**

\*Smell\* controller



Offline

Posts: 377


**Re: Stardock Litigation Discussion**

« Reply #114 on: August 14, 2018, 01:23:55 am »

**Quote from: Frogboy on August 13, 2018, 10:50:17 pm**

Stardock owns the Star Control aliens.

Sure, you're probably right there. But I would contend that the Spathi, Orz, and the rest *ceased to be* "Star Control Aliens" when Atari's license to use them expired.

Just because a product is licensed for sale under one brand name for a while doesn't mean that the owner of the brand gets to retain ownership of aspects of the product once its license expires. For example, Chrysler licensed the Dodge Stratus to be sold in Russia by GAZ under its Volga brand from 2008-2010. Even if aspects of that car came to be associated with the Volga brand name during that time, I highly doubt that GAZ could claim that it somehow acquired the rights to use them (and keep Chrysler from using them) after

its license expired.

One could, perhaps, say that the Stratus **was** a Volga car. But it would be inaccurate to say that it **is** a Volga car, now that the licensing arrangement has ended.

« Last Edit: August 14, 2018, 02:08:46 am by Elestan »

 Logged

### Frogboy

\*Many bubbles\*



 Offline

Posts: 226



### Re: Stardock Litigation Discussion

« Reply #115 on: August 14, 2018, 02:13:17 am »

@Rosepatel: You're the one accusing people of wrong-doing. As the saying goes, put up or shut-up. You accused me of stating that we would be copying something. Show us where I said that.



@Elestan: I understand where you are coming from. However, the law is pretty clear on this. This is why I don't think you still understand trademarks. When you say things like "it wouldn't be a big deal if Stardock lose the Star Control trademark.." combined with your argument in thinking that a copyright could somehow cover some sort of...I dunno...universality of expression it tells me that you aren't understanding the general concept here.

Sometimes, I think that you're purposely trying not to understand because this seems so obvious but then I'll talk to you on Discord and be convinced that you mean well so I don't know what to think.

The bottom line is that future Star Control games will have Star Control aliens in them. And Stardock will vigorously defend its rights in perpetuity. If someone wants to use our IP, they will need our permission.

 Logged

### CommanderShepard

\*Many bubbles\*



 Offline

Posts: 108



### Re: Stardock Litigation Discussion

« Reply #116 on: August 14, 2018, 02:29:47 am »

#### Quote from: Frogboy on August 13, 2018, 09:11:13 pm

If you want to accuse someone of wrong-doing, it is up to the accuser to provide evidence.

Rose alleged that I posted that we intended to copy the way the Star Control II aliens were expressed in Star Control II. The onus is on Rose to back that claim up. Or to be clear enough for you, if you have "the security footage and shards of broken glass" then let's see it. Otherwise, that libelous comment should be retracted.

The evidence of such is already public knowledge. Firstly, there's the artwork that Stardock itself has publicly released along with the beta test of the game, then, there's the claims and visual evidence within the claims showing your own correspondence of asking F&P to use their content showing that you not only repeatedly asked to use their work but ultimately stated you would then be refusing their request. You can publicly say it's some giant conspiracy, but in order to file a claim, you at least need some evidence, so the fact that you haven't means you have such minuscule or non-existent evidence for such a claim that not even a lawyer could bring themselves to file it.

 Logged

### SCFan

Zebranky food



 Offline



### Re: Stardock Litigation Discussion

« Reply #117 on: August 14, 2018, 02:31:32 am »

Quote from: rosepatel on August 13, 2018, 12:31:55 am

Posts: 3



It's a fool's errand. Especially when there's multiple forum posts from the CEO saying they're trying to copy without triggering Copyright law. That's like saying you're going to jump on a neighbor's lawn so fast that you can't be caught trespassing, or you're only going to take a few grains of rice so nobody can tell you're stealing. It would work a lot better if you didn't say out loud that's what you're trying to do.

Where is the moderator? Why is this poster being allowed to potentially libel other posters without providing evidence? I thought this rule went both ways, Death999?

rosepatel literally accused Frogboy, another poster, of having stolen something and Frogboy has asked rosepatel to substantiate that statement and rosepatel is unable to do so yet has not withdrawn the statement.

I think it is clear the moderation of this forum is biased. Glad to have that fact confirmed.

OR, the moderator was ill for the day. This is a mess and a bunch of stuff will be said and done here. And no ban evasion, SVS. Re-banned.

« Last Edit: August 14, 2018, 01:35:00 pm by Death 999 »

Logged

**Frogboy**

\*Many bubbles\*



Offline

Posts: 226



**Re: Stardock Litigation Discussion**

« Reply #118 on: August 14, 2018, 02:52:02 am »

**Quote from: CommanderShepard on August 14, 2018, 02:29:47 am**

The evidence of such is already public knowledge. Firstly, there's the artwork that Stardock itself has publicly released along with the beta test of the game, then, there's the claims and visual evidence within the claims showing your own

Let's see the evidence then. You guys really like to make allegations but always slink away when asked to back it up.

So post it. Show the copyright infringement.

Should be easy if it's publicly released.

Logged

**Elestan**

\*Smell\* controller



Offline

Posts: 377



**Re: Stardock Litigation Discussion**

« Reply #119 on: August 14, 2018, 02:54:01 am »

**Quote from: Frogboy on August 14, 2018, 02:13:17 am**

@Elestan: I understand where you are coming from. However, the law is pretty clear on this. This is why I don't think you still understand trademarks. When you say things like "it wouldn't be a big deal if Stardock lose the Star Control trademark..." combined with your argument in thinking that a copyright could somehow cover some sort of...I dunno...universality of expression it tells me that you aren't understanding the general concept here.

Sometimes, I think that you're purposely trying not to understand because this seems so obvious but then I'll talk to you on Discord and be convinced that you mean well so I don't know what to think.

It's not that I'm not understanding you; it's that you're not making persuasive arguments. The above is a prime example: You're not responding to the substance of the argument at all; you're just **asserting that I'm wrong**.

Most of your other arguments boil down to various forms of **demeaning the qualifications of the person you're debating with**, or **asserting yourself as an authority on IP law**, or citing personal anecdotes of talking with unnamed attorneys that we have no way of verifying.

I'd suggest reading those links, and then going back and reviewing some of your posts. Remove the parts that fall under the various argumentative fallacies, and see how little is left.

If you want to make persuasive arguments, then start citing some sources other than your own authority, whether that's statutes, case law, journal articles, whatever...just as long as it's something written by an independent source. For example, above, you said

**Quote**

the law is pretty clear on this

Okay, fine. If the law is clear on this, then it should be no problem to give me a link to the statute or case law that supports your point. Or at least make a step-by-step argument saying what you think the law says. If you're not willing to at least do that, then you're not making an argument that can be taken seriously, and it would be better to follow Paul and Fred's example and stay out of the conversation completely.

**Quote**

The bottom line is that future Star Control games will have Star Control aliens in them. And Stardock will vigorously defend its rights in perpetuity. If someone wants to use our IP, they will need our permission.

...and this line is **similarly unpersuasive**.

« Last Edit: August 14, 2018, 03:02:23 am by Elestan »

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Jump to: => General Discussion

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